

## **2013 DRAFTING REQUEST**

### **Bill**

|   |                                   |
|---|-----------------------------------|
| Received: <b>12/11/2013</b>                 | Received By: <b>phurley</b>       |
| Wanted: <b>As time permits</b>              | Same as LRB:                      |
| For: <b>LaTonya Johnson (608) 266-5580</b>  | By/Representing: <b>Christian</b> |
| May Contact:                                | Drafter: <b>phurley</b>           |
| Subject: <b>Criminal Law - sex offenses</b> | Addl. Drafters: <b>eshea</b>      |

Extra Copies:

Submit via email: **YES**  
 Requester's email: **Rep.Johnson@legis.wisconsin.gov**  
 Carbon copy (CC) to: **elisabeth.shea@legis.wisconsin.gov**

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### **Pre Topic:**

No specific pre topic given

---

### **Topic:**

Seizing assets of human and child sex trafficking

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### **Instructions:**

a0853, but with a new appropriation for victims of sex trafficking specifically (within DCS), plus a \$1k surcharge for soliciting a prostitute or a child prostitute; funds to go to the new approp

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### **Drafting History:**

| <u>Vers.</u> | <u>Drafted</u>       | <u>Reviewed</u>    | <u>Typed</u>          | <u>Proofed</u> | <u>Submitted</u>     | <u>Jacketed</u> | <u>Required</u> |
|--------------|----------------------|--------------------|-----------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | eshea<br>1/15/2014   | jdyer<br>1/9/2014  | jfrantze<br>1/9/2014  | _____          | sbasford<br>1/9/2014 |                 | State<br>S&L    |
| /P2          | phurley<br>1/16/2014 | jdyer<br>1/16/2014 | rschluet<br>1/16/2014 | _____          | srose<br>1/16/2014   |                 | State<br>S&L    |
| /1           |                      | jdyer              | rschluet              | _____          | mbarman              | srose           | State           |

|              |                |                 |              |                |                  |                 |                 |
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|              |                | 1/20/2014       | 1/20/2014    | _____          | 1/21/2014        | 1/21/2014       | S&L             |

FE Sent For:

@  
INTRO

<END>

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| /P2          | phurley<br>1/16/2014 | jdyer<br>1/16/2014 | rschluet<br>1/16/2014 | _____          | srose<br>1/16/2014   |                 | State<br>S&L    |
| /1           |                      | jdyer              | rschluet              | _____          | mbarman              |                 | State           |

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|--------------|-------------------|------------------|----------------------|----------------|----------------------|-----------------|-----------------|
| /P1          | eshea<br>1/3/2014 | jdye<br>1/9/2014 | jfrantze<br>1/9/2014 | _____          | sbasford<br>1/9/2014 |                 | State<br>S&L    |

FE Sent For:

P2 1/16 JLD  
1/16  
<END>

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|--------------|----------------|-----------------|--------------|----------------|------------------|-----------------|-----------------|
| /P1          | eshea          | PI 1/9 jld      | jd           | R3 1/9<br>8/6  |                  |                 | State<br>S&L    |

FE Sent For:

<END>

**Shea, Elisabeth**

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**From:** Hurley, Peggy  
**Sent:** Tuesday, December 17, 2013 1:56 PM  
**To:** Rep. Johnson  
**Cc:** Shea, Elisabeth  
**Subject:** Sexual exploitation surcharge

Christian,

I have completed the portion of your draft request that creates a \$500 surcharge attached to sex crimes against children, human trafficking (related to commercial sex acts), and crimes related to prostitution. I have forwarded the draft to Elisabeth Shea, who will create a new appropriation and a new grant program under the child abuse and neglect prevention board. That program will use monies collected from the surcharge for programs that assist child victims of sex crimes. Please let me know if that does not reflect your intent.

If you have any questions regarding the surcharge, please let me know. Elisabeth can assist you with any questions or concerns you have about the grant program and the appropriation.

Peggy Hurley  
Legislative Reference Bureau  
608 266 8906





State of Wisconsin  
2013 - 2014 LEGISLATURE



LEB-3820/P1  
PJH & EHS:.....

In 1/3/13

LD

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

D-NOTE

PF

✓

Gen

- 1 AN ACT ...; relating to: creating a surcharge to be paid by persons convicted of  
2 certain crimes against children and certain crimes against sexual morality, and  
3 making an appropriation. ✓

***Analysis by the Legislative Reference Bureau***

This bill creates a surcharge that is paid by any person who commits a sexual crime against a child or who commits a crime related to prostitution or sex trafficking. Under the bill, a person who is convicted of committing one of those offenses must pay, in addition to any criminal fine for the offense, a \$500 surcharge. Under the bill, the child abuse and neglect prevention board may use the money collected under the surcharge to provide grants to organizations that offer services to child victims of sexual crimes. ✓

\*

For further information see the ✓ ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

4

create approp in s. 20.433 (1) & grant program in chapter 48

5

SECTION 1. 20.433 (1) (hm) ✓ of the statutes is created to read:

20.433 (1) (hm) *Grants to assist child victims of sexual exploitation.* All moneys received under s. 973.044 to be used for grants to organizations under s. 48.982 (6m).

SECTION 2. 48.982 (2) (c) of the statutes is amended to read:

48.982 (2) (c) Review and approve or disapprove grant applications and monitor the services provided under each grant awarded under subs. (4) and, (6), and (6m).

History: 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16; 2005 a. 25, 165, 319; 2007 a. 20; 2009 a. 185; 2013 a. 20.

SECTION 3. 48.982 (6m) of the statutes is created to read:

48.982 (6m) AWARD OF GRANTS TO ASSIST CHILD VICTIMS OF SEXUAL EXPLOITATION.

From the appropriation under s. 20.433 (1) (hm), the board shall award grants to organizations to provide services to child victims of crimes under s. 940.302 (2) (a) 1. b. or ss. 948.02 to 948.14 in accordance with the plan developed under sub. (2) (a).

History: 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16; 2005 a. 25, 165, 319; 2007 a. 20; 2009 a. 185; 2013 a. 20.

SECTION 4. 814.75 (28) of the statutes is created to read:

814.75 (28) The sexual exploitation surcharge under s. 973.044.

SECTION 5. 814.76 (20) of the statutes is created to read:

814.76 (21) The sexual exploitation surcharge under s. 973.044.

SECTION 6. 973.044 of the statutes is created to read:

**973.044 Sexual exploitation surcharge.** (1) If a court imposes a sentence or places a person on probation for a crime under s. 940.302 (2) (a) 1. b. or ss. 948.02 to 948.14 or under subch. V of ch. 944, the court shall impose a sexual exploitation surcharge of \$500 for each offense.

(2) After determining the amount due, the clerk of court shall collect and transmit the amount to the county treasurer under s. 59.40 (2) (m). The county

1 treasurer shall then make payment to the secretary of administration under s. 59.25

2 (3) (f) 2. ✓

sexual exploitation ✓

3 (3) The secretary of administration shall credit the surcharge to the  
4 appropriation account under s. 20.433 (1) (hm). ✓

5 (4) If an inmate in a state prison or a person sentenced to a state prison has  
6 not paid the ~~child pornography~~ surcharge under this section, ✓ the department shall  
7 assess and collect the amount owed from the inmate's wages or other moneys. Any  
8 amount collected under this subsection ✓ shall be transmitted to the secretary of  
9 administration.

History: 2005 a. 433; 2013 a. 20. ✓

10 **SECTION 7.** 973.05 (2m) (fr) of the statutes is created to read:

11 973.05 (2m) (fr) To payment of the sexual exploitation surcharge ✓ until paid in  
12 full.

13 **SECTION 8.** 973.05 (3) (a) of the statutes is amended to read:

14 973.05 (3) (a) In lieu of part or all of a fine imposed by a court, the court may  
15 stay the execution of part or all of the sentence and provide that the defendant  
16 perform community service work under pars. (b) and (c). Any applicable driver  
17 improvement surcharge under s. 346.655, any sexual exploitation surcharge under  
18 s. 973.044, ✓ or any domestic abuse surcharge under s. 973.055 shall be imposed under  
19 ch. 814 regardless of whether part or all of the sentence has been stayed. If the  
20 defendant fails to comply with the community service order, the court shall order the  
21 defendant brought before the court for imposition of sentence. If the defendant

- 1 complies with the community service order, he or she has satisfied that portion of the  
2 sentence.

**History:** 1977 c. 29; 1979 c. 34, 111; 1981 c. 20, 88, 352; 1983 a. 27, 535; 1985 a. 36; 1987 a. 27, 339, 398; 1989 a. 64, 107, 359; 1991 a. 39; 1993 a. 16; 1995 a. 227, 438, 448; 1997 a. 3, 27, 35, 148, 248; 1999 a. 9, 32; 2001 a. 16, 56, 105; 2003 a. 139; 2005 a. 25, 149, 282, 433; 2005 a. 443 s. 265; 2007 a. 20, 97; 2009 a. 28, 100; 2011 a. 32, 266; 2013 a. 20.

3

(END)

D-note  
↓

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3820/P1dn

~~FOR~~ EHS:.....

date

jld

Christian:

\* Section 48.982 (2) (gm) ✓ requires the child abuse and neglect prevention board ✓ to provide materials and programming that emphasize the role of fathers in the primary prevention of child abuse and neglect to organizations that receive grants under the board's existing grant programs. Do you want this requirement to be extended to organizations that receive grants to assist child victims of sexual exploitation? \*

Section 48.982 (2m) ✓ provides a manner in which the child abuse and neglect prevention board may accept donations ✓ and direct those funds, if intended by the donor, to the different grant programs it administers. Do you want the board to have the ability to do this with donations intended to be used for grants to organizations that assist child victims of sexual exploitation?

Finally, s. 48.982 (7) ✓ requires organizations that apply for funding under the board's existing grant programs to provide proof that the organization has the cultural competency to provide services under the grant to persons and families in the various cultures in the organization's target population and that cultural competency is incorporated in the organization's policies, administration, and practices. Do you want this requirement to apply to applications for grants under the new grant program? ✓

Elisabeth H. Shea  
Legislative Attorney  
Phone: (608) 266-5446  
E-mail: elisabeth.shea@legis.wisconsin.gov

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3820/P1dn  
EHS:jld:jf

January 9, 2014

Christian:

Section 48.982 (2) (gm) requires the child abuse and neglect prevention board to provide materials and programming that emphasize the role of fathers in the primary prevention of child abuse and neglect to organizations that receive grants under the board's existing grant programs. Do you want this requirement to be extended to organizations that receive grants to assist child victims of sexual exploitation?

Section 48.982 (2m) provides a manner in which the child abuse and neglect prevention board may accept donations and direct those funds, if intended by the donor, to the different grant programs it administers. Do you want the board to have the ability to do this with donations intended to be used for grants to organizations that assist child victims of sexual exploitation?

Finally, s. 48.982 (7) requires organizations that apply for funding under the board's existing grant programs to provide proof that the organization has the cultural competency to provide services under the grant to persons and families in the various cultures in the organization's target population and that cultural competency is incorporated in the organization's policies, administration, and practices. Do you want this requirement to apply to applications for grants under the new grant program?

Elisabeth H. Shea  
Legislative Attorney  
Phone: (608) 266-5446  
E-mail: [elisabeth.shea@legis.wisconsin.gov](mailto:elisabeth.shea@legis.wisconsin.gov)

## Shea, Elisabeth

---

**From:** Ullsvik, Christian  
**Sent:** Wednesday, January 15, 2014 12:01 PM  
**To:** Shea, Elisabeth  
**Subject:** RE: LRB 3820

Hi Lis,

Thanks for the clarification, I think Rep. Johnson would definitely be fine with including that reference. Thanks!

Christian

---

**From:** Shea, Elisabeth  
**Sent:** Wednesday, January 15, 2014 11:59 AM  
**To:** Ullsvik, Christian  
**Subject:** RE: LRB 3820

Hi Christian,

With respect to item 2 below, my question probably wasn't very clear, but I think I know the answer now. If someone donates money to the Children's Trust Fund, but wants it to go specifically toward grants for programs to assist child victims of sexual exploitation, it sounds like Rep. Johnson would like CANPB to be required to direct that money to those grants instead of using on other programs or costs. If this is the case, I will add a reference to the new grant to s. 48.982 (2m), which would require this. Let me know what you think.

Lis

---

**From:** Ullsvik, Christian  
**Sent:** Monday, January 13, 2014 1:01 PM  
**To:** Shea, Elisabeth  
**Subject:** LRB 3820

Hi Elisabeth,

Thanks for your questions regarding the crimes against children/sex crimes surcharges.

1) Grants made under the bill don't need to emphasize the role of father in prevention of child abuse. Rep. Johnson wants the money to go to the child victims first and foremost. The primary intent is to provide resources for the victims of human trafficking and sexual abuse, who oftentimes do not have involved caregivers.

2) I'm a little unclear about this question, but maybe I'm misreading 48.982(2m). Rep. Johnson wants all surcharges received by the board under this bill to be used on programs to assist child victims of sexual exploitation. She doesn't want the money used for other purposes like Child Abuse and Neglect Prevention Board staffing costs or on programs unrelated to child victims of sexual exploitation. It seems like (2m)(d) would not qualify as a program focused on child victims of sexual exploitation. *add ref*

3) Yes, Rep. Johnson would like all groups that receive funding to assist these children to have appropriate cultural competencies. *add ref*

Let me know if you have any questions. Thanks!

Christian Ullsvik  
Office of Rep. LaTonya Johnson  
17th Assembly District





State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3820/P1 P2  
PJH&EHS:jld:jf

RMR

In 1/15/13

**PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION**

X Regen

1 AN ACT *to amend* 48.982 (2) (c) and 973.05 (3) (a); and *to create* 20.433 (1) (hm),  
2 48.982 (6m), 814.75 (28), 814.76 (21), 973.044 and 973.05 (2m) (fr) of the  
3 statutes; **relating to:** creating a surcharge to be paid by persons convicted of  
4 certain crimes against children and certain crimes against sexual morality, and  
5 making an appropriation.

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***Analysis by the Legislative Reference Bureau***

This bill creates a surcharge that is paid by any person who commits a sexual crime against a child or who commits a crime related to prostitution or sex trafficking. Under the bill, a person who is convicted of committing one of those offenses must pay, in addition to any criminal fine for the offense, a \$500 surcharge. Under the bill, the Child Abuse and Neglect Prevention Board may use the money collected under the surcharge to provide grants to organizations that offer services to child victims of sexual crimes.

For further information see the ***state and local*** fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

6 SECTION 1. 20.433 (1) (hm) of the statutes is created to read:

1           20.433 (1) (hm) *Grants to assist child victims of sexual exploitation.* All moneys  
2 received under s. 973.044 to be used for grants to organizations under s. 48.982 (6m).

3           **SECTION 2.** 48.982 (2) (c) of the statutes is amended to read:

4           48.982 (2) (c) Review and approve or disapprove grant applications and  
5 monitor the services provided under each grant awarded under subs. (4) ~~and, (6), and~~  
6 (6m).

7           **SECTION 3.** 48.982 (6m) of the statutes is created to read:

8           48.982 (6m) AWARD OF GRANTS TO ASSIST CHILD VICTIMS OF SEXUAL EXPLOITATION.

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10 organizations to provide services to child victims of crimes under ss. 940.302 (2) (a)  
11 1. b. or 948.02 to 948.14 in accordance with the plan developed under sub. (2) (a).

12           **SECTION 4.** 814.75 (28) of the statutes is created to read:

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17           **973.044 Sexual exploitation surcharge.** (1) If a court imposes a sentence  
18 or places a person on probation for a crime under ss. 940.302 (2) (a) 1. b. or 948.02  
19 to 948.14 or under subch. V of ch. 944, the court shall impose a sexual exploitation  
20 surcharge of \$500 for each offense.

21           (2) After determining the amount due, the clerk of court shall collect and  
22 transmit the amount to the county treasurer under s. 59.40 (2) (m). The county  
23 treasurer shall then make payment to the secretary of administration under s. 59.25  
24 (3) (f) 2.

(3) The secretary of administration shall credit the surcharge to the appropriation account under s. 20.433 (1) (hm).

(4) If an inmate in a state prison or a person sentenced to a state prison has not paid the sexual exploitation surcharge under this section, the department shall assess and collect the amount owed from the inmate's wages or other moneys. Any amount collected under this subsection shall be transmitted to the secretary of administration.

**SECTION 7.** 973.05 (2m) (fr) of the statutes is created to read:

973.05 (2m) (fr) To payment of the sexual exploitation surcharge until paid in full.

**SECTION 8.** 973.05 (3) (a) of the statutes is amended to read:

973.05 (3) (a) In lieu of part or all of a fine imposed by a court, the court may stay the execution of part or all of the sentence and provide that the defendant perform community service work under pars. (b) and (c). Any applicable driver improvement surcharge under s. 346.655, any sexual exploitation surcharge under s. 973.044, or any domestic abuse surcharge under s. 973.055 shall be imposed under ch. 814 regardless of whether part or all of the sentence has been stayed. If the defendant fails to comply with the community service order, the court shall order the defendant brought before the court for imposition of sentence. If the defendant complies with the community service order, he or she has satisfied that portion of the sentence.

**(END)**

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3820/P2ins  
PJH&EHS:jld:jf

1           INSERT 2-7

2           **SECTION 1.** 48.982 (2m) (a) <sup>X</sup> of the statutes is amended to read:

3           48.982 **(2m)** (a) Award grants and provide technical assistance to organizations  
4           under subs. (4) ~~and~~, (6), <sup>✓</sup> and (6m) and provide child abuse and neglect prevention  
5           information and services on a statewide basis.

**History:** 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16; 2005 a. 25, 165, 319; 2007 a. 20; 2009 a. 185; 2013 a. 20.

6           INSERT 2-12

7           **SECTION 2.** 48.982 (7) (d) (intro.) <sup>X</sup> of the statutes is amended to read:

8           48.982 **(7)** (d) (intro.) Each application for a grant under sub. (4) ~~or~~, (6), <sup>✓</sup> or (6m)  
9           shall include proof that the organization has the cultural competency to provide  
10          services under the grant to persons and families in the various cultures in the  
11          organization's target population and that cultural competency is incorporated in the  
12          organization's policies, administration, and practices. Each grant application shall  
13          also include proof of the organization's ability to do all of the following:

**History:** 1983 a. 27; 1983 a. 109 s. 6; 1985 a. 29 ss. 930s, 3202 (8); 1987 a. 27, 184, 255; 1989 a. 31, 336; 1991 a. 32, 39; 1993 a. 16, 437, 444, 491; 1995 a. 27 ss. 2622 to 2623d, 9126 (19); 1995 a. 275; 1997 a. 27, 78, 252, 293; 1999 a. 9; 2001 a. 16; 2005 a. 25, 165, 319; 2007 a. 20; 2009 a. 185; 2013 a. 20.

(end ins)

## Shea, Elisabeth

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**From:** Ullsvik, Christian  
**Sent:** Thursday, January 16, 2014 1:35 PM  
**To:** Shea, Elisabeth  
**Subject:** RE: LRB 3820

Hi Lis,

LRB 3820 looks great. The one change that Rep. Johnson would like to make is to exclude 944.30 from the crimes that carry the surcharge. Rep. Johnson does not want to add the surcharge to a prostitute who is likely the victim of sexual exploitation themselves. The other offenses listed in Subchapter V of 944 would still carry the surcharge. Thanks!

Christian Ullsvik  
Office of Rep. LaTonya Johnson  
17th Assembly District

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**From:** Shea, Elisabeth  
**Sent:** Wednesday, January 15, 2014 11:59 AM  
**To:** Ullsvik, Christian  
**Subject:** RE: LRB 3820

Hi Christian,

With respect to item 2 below, my question probably wasn't very clear, but I think I know the answer now. If someone donates money to the Children's Trust Fund, but wants it to go specifically toward grants for programs to assist child victims of sexual exploitation, it sounds like Rep. Johnson would like CANPB to be required to direct that money to those grants instead of using on other programs or costs. If this is the case, I will add a reference to the new grant to s. 48.982 (2m), which would require this. Let me know what you think.

Lis

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**From:** Ullsvik, Christian  
**Sent:** Monday, January 13, 2014 1:01 PM  
**To:** Shea, Elisabeth  
**Subject:** LRB 3820

Hi Elisabeth,

Thanks for your questions regarding the crimes against children/sex crimes surcharges.

1) Grants made under the bill don't need to emphasize the role of father in prevention of child abuse. Rep. Johnson wants the money to go to the child victims first and foremost. The primary intent is to provide resources for the victims of human trafficking and sexual abuse, who oftentimes do not have involved caregivers.

2) I'm a little unclear about this question, but maybe I'm misreading 48.982(2m). Rep. Johnson wants all surcharges received by the board under this bill to be used on programs to assist child victims of sexual exploitation. She doesn't want the money used for other purposes like Child Abuse and Neglect Prevention Board staffing costs or on programs

unrelated to child victims of sexual exploitation. It seems like (2m)(d) would not qualify as a program focused on child victims of sexual exploitation.

3) Yes, Rep. Johnson would like all groups that receive funding to assist these children to have appropriate cultural competencies.

Let me know if you have any questions. Thanks!

Christian Ullsvik  
Office of Rep. LaTonya Johnson  
17th Assembly District



State of Wisconsin  
2013 - 2014 LEGISLATURE



LRB-3820/P2  
PJH&EHS:jld:rs

1  
mr

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

2013 BILL

1-16-14

Regen

✓  
1 AN ACT *to amend* 48.982 (2) (c), 48.982 (2m) (a), 48.982 (7) (d) (intro.) and 973.05  
2 (3) (a); and *to create* 20.433 (1) (hm), 48.982 (6m), 814.75 (28), 814.76 (21),  
3 973.044 and 973.05 (2m) (fr) of the statutes; **relating to:** creating a surcharge  
4 to be paid by persons convicted of certain crimes against children and certain  
5 crimes against sexual morality, and making an appropriation.

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*Analysis by the Legislative Reference Bureau*

This bill creates a surcharge that is paid by any person who commits a sexual crime against a child or who commits a crime related to prostitution or sex trafficking. Under the bill, a person who is convicted of committing one of those offenses must pay, in addition to any criminal fine for the offense, a \$500 surcharge. Under the bill, the Child Abuse and Neglect Prevention Board may use the money collected under the surcharge to provide grants to organizations that offer services to child victims of sexual crimes.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

6 SECTION 1. 20.433 (1) (hm) of the statutes is created to read:

**SECTION 1**

1           20.433 (1) (hm) *Grants to assist child victims of sexual exploitation.* All moneys  
2 received under s. 973.044 to be used for grants to organizations under s. 48.982 (6m).

3           **SECTION 2.** 48.982 (2) (c) of the statutes is amended to read:

4           48.982 (2) (c) Review and approve or disapprove grant applications and  
5 monitor the services provided under each grant awarded under subs. (4) ~~and, (6), and~~  
6 (6m).

7           **SECTION 3.** 48.982 (2m) (a) of the statutes is amended to read:

8           48.982 (2m) (a) Award grants and provide technical assistance to organizations  
9 under subs. (4) ~~and, (6), and (6m)~~ and provide child abuse and neglect prevention  
10 information and services on a statewide basis.

11          **SECTION 4.** 48.982 (6m) of the statutes is created to read:

12          48.982 (6m) AWARD OF GRANTS TO ASSIST CHILD VICTIMS OF SEXUAL EXPLOITATION.  
13 From the appropriation under s. 20.433 (1) (hm), the board shall award grants to  
14 organizations to provide services to child victims of crimes under ss. 940.302 (2) (a)  
15 1. b. or 948.02 to 948.14 in accordance with the plan developed under sub. (2) (a).

16          **SECTION 5.** 48.982 (7) (d) (intro.) of the statutes is amended to read:

17          48.982 (7) (d) (intro.) Each application for a grant under sub. (4) ~~or, (6), or (6m)~~  
18 shall include proof that the organization has the cultural competency to provide  
19 services under the grant to persons and families in the various cultures in the  
20 organization's target population and that cultural competency is incorporated in the  
21 organization's policies, administration, and practices. Each grant application shall  
22 also include proof of the organization's ability to do all of the following:

23          **SECTION 6.** 814.75 (28) of the statutes is created to read:

24          814.75 (28) The sexual exploitation surcharge under s. 973.044.

25          **SECTION 7.** 814.76 (21) of the statutes is created to read:



944.31 to 944.36,

1 814.76 (21) The sexual exploitation surcharge under s. 973.044.

2 **SECTION 8.** 973.044 of the statutes is created to read:

3 **973.044 Sexual exploitation surcharge.** (1) If a court imposes a sentence

4 or places a person on probation for a crime under ss. 940.302 (2) (a) 1. b. or 948.02

5 to 948.14 or under subch. V of ch. 944, the court shall impose a sexual exploitation

6 surcharge of \$500 for each offense. plain comma

7 (2) After determining the amount due, the clerk of court shall collect and

8 transmit the amount to the county treasurer under s. 59.40 (2) (m). The county

9 treasurer shall then make payment to the secretary of administration under s. 59.25

10 (3) (f) 2.

11 (3) The secretary of administration shall credit the surcharge to the

12 appropriation account under s. 20.433 (1) (hm).

13 (4) If an inmate in a state prison or a person sentenced to a state prison has

14 not paid the sexual exploitation surcharge under this section, the department shall

15 assess and collect the amount owed from the inmate's wages or other moneys. Any

16 amount collected under this subsection shall be transmitted to the secretary of

17 administration.

18 **SECTION 9.** 973.05 (2m) (fr) of the statutes is created to read:

19 973.05 (2m) (fr) To payment of the sexual exploitation surcharge until paid in  
20 full.

21 **SECTION 10.** 973.05 (3) (a) of the statutes is amended to read:

22 973.05 (3) (a) In lieu of part or all of a fine imposed by a court, the court may  
23 stay the execution of part or all of the sentence and provide that the defendant  
24 perform community service work under pars. (b) and (c). Any applicable driver  
25 improvement surcharge under s. 346.655, any sexual exploitation surcharge under

1 s. 973.044, or any domestic abuse surcharge under s. 973.055 shall be imposed under  
2 ch. 814 regardless of whether part or all of the sentence has been stayed. If the  
3 defendant fails to comply with the community service order, the court shall order the  
4 defendant brought before the court for imposition of sentence. If the defendant  
5 complies with the community service order, he or she has satisfied that portion of the  
6 sentence.

7 (END)

**Basford, Sarah**

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**From:** Ullsvik, Christian  
**Sent:** Tuesday, January 21, 2014 8:46 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -3820/1 Topic: Seizing assets of human and child sex trafficking

Thanks!

Please Jacket LRB -3820/1 for the ASSEMBLY.